

**APPROVED and SO ORDERED.
ENTER: 2; 13: 14237**

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

**IN RE: BOSTON SCIENTIFIC CORP.
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION**

MDL No. 2326
Honorable Joseph R. Goodwin

RITA M. VARNUM,
Plaintiff.

V.

CIVIL ACTION NO. 2:14-cv-31233

**BOSTON SCIENTIFIC CORP.,
ET AL.,**
Defendants.

MOTION TO TRANSFER MDL

COME NOW the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2326, In re: Boston Scientific Corp. Pelvic Repair System Products Liability Litigation, to:

MDL 2327, In re: Ethicon, Inc. Pelvic Repair System Products Liability Litigation

Plaintiff(s) herein filed a Complaint or Short Form Complaint in MDL 2326 against Boston Scientific Corp. and others. Plaintiff(s) later filed an Amended Short Form Complaint that no longer included Boston Scientific Corp. or another named defendant in that litigation; included instead, among others, were the following parties from MDL 2327:

Ethicon, Inc. and Johnson & Johnson

Because Boston Scientific Corp. or another defendant named in the Master Complaint, is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court:

- 1) **GRANT** the Plaintiff(s) motion to transfer this civil action from MDL 2326 to 2327; and
- 2) direct the Clerk to disassociate this civil action as a member case in MDL 2326 and re-associate it with MDL 2327.

Respectfully submitted,

/s/ J. Steve Mostyn

J. Steve Mostyn
Mark Sparks
MOSTYN LAW
3810 West Alabama Street
Houston, TX 77027
(713) 714-0000 Telephone
(713) 714-1111 Facsimile

Kurt Arnold
Jason Itkin
Noah Wexler
ARNOLD & ITKIN LLP
6009 Memorial Drive
Houston, TX 77007
(713) 222-3800 Telephone
(713) 222-3850 Facsimile

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

/s/ J. Steve Mostyn

J. Steve Mostyn